

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EXCALIBUR LIMITED PARTNERSHIP AND
WHALEHAVEN CAPITAL FUND,

Index No. 07 CV 3434

Plaintiffs,

-against-

NOTICE OF APPEARANCE

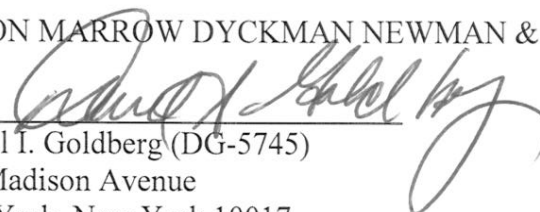
EARTH BIOFUELS, INC.,

Defendant.
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PLEASE TAKE NOTICE THAT, the undersigned hereby enters its appearance as attorney of record for and on behalf of Defendant Earth Biofuels, Inc., in the above-captioned action. In accordance therewith, Defendant respectfully requests copies of all notices, pleadings, motions, orders, and other correspondence filed or served in this, or any related action, and that same be served electronically pursuant to the Court's Rules.

Dated: New York, New York
June 12, 2007

SALON MARROW DYCKMAN NEWMAN & BROUDY, LLP

By: 
Daniel I. Goldberg (DG-5745)
292 Madison Avenue
New York, New York 10017
Telephone: 212-661-7100
***Counsel for Defendant
Earth Biofuels, Inc.***

To:
Jack Malley, Esq.
Herrick Feinstein, LLP
2 Park Avenue
New York, New York 10016
212-592-1400
***Counsel for Plaintiffs
Excalibur Limited Partnership, and
Whalehaven Capital Fund Ltd.***